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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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 :
 SOMPO JAPAN INSURANCE, INC. and :
 SOMPO JAPAN INSURANCE COMPANY OF :
 AMERICA :

07 Civ. 2735 (DC)

Plaintiffs,

- against -

:
 NORFOLK SOUTHERN RAILWAY :
 COMPANY, NORFOLK SOUTHERN :
 CORPORATION and THE KANSAS CITY :
 RAILWAY COMPANY :

DECLARATION OF
 Canon Finetech Nisca (Shenzhen)
PURSUANT TO FRE 902(12)

Defendants.

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 Tsutomu Miyajima hereby declares:

1. I am the General Manager of Production Control Department. of Canon Finetech Nisca (Shenzhen) Inc. ("Canon Finetech"), located in Shenzhen, China. Canon Finetech is a wholly owned subsidiary of Canon Inc. in Japan. My duties at Canon Finetech include Unification of the distribution about the production-related whole. I have held this position since sep/2005. The factory manufactured the photocopiers that are at issue in this litigation. I make this declaration on personal knowledge.

2. Canon Finetech is in the business, *inter alia*, of manufacturing and shipping photocopy machines. I am familiar with and understand the record preparation and record keeping

system of Canon Finetech and Canon Inc. with respect to the shipment of photocopy machines.

3. I attach as Exhibit A a true and complete copy of the "Shipper's Vanning Certificate (Cargo Loading Into Container)" pertaining to the copiers at issue in this litigation. The Certificate was prepared by Canon Inc. based on information provided by Canon Finetech as part of its regular business activity of selling and shipping copiers at or near the time of the shipment at issue. The information contained therein was provided by an employee of Canon Finetech with knowledge of details therein (or from information transmitted by other employees with knowledge). It is the regular business practice of Canon Inc. to issue these types of Certificates and to keep them in the course of its regularly conducted business activity of selling and shipping photocopiers. This type of Certificate is prepared every time photocopiers are loaded into containers at the factory for export. The document reflects the container number, the reference number (i.e. invoice number), the vessel, and the type of and quantity of copiers loaded (in this case 120 pallets of 9563A001AA Finisher S-1), and that the storage of the goods within the container is "Proper". That is, the Certificate confirms the copiers were packed and secured into the container in the customary manner to withstand the normal rigors of transport. At the time of container loading, All products were packed with wrap and fixed in air bag in the container door side.

4. The document also reflects that the copiers were in good order and condition at the time of loading. That is, the copiers are not made available to ship to our customers unless they have passed all inspection standards at the factory. About the quality control procedures, We use random inspection by the quality control dep. And production department. These inspection standards were followed here. Moreover, if any damage were noted while loading copiers into the container, those items would be set aside and not shipped.

5. In 2006, the factory shipped approximately 54,090pcs. of the 9563A001AA photocopiers. Of that number shipped, I have investigated and found that only none were returned for manufacturing/package defects.

Dated: 31/Dec/2008
Shenzhen, China

I declare that the foregoing is true and correct under the penalty of perjury under the laws of China and under the laws of the United States.

Signature



Canon

PAGE
REFERENCE
ISSUED1
SK-06/50170
MAR 27, 2006
11:37:42SHIPPER'S VANNING CERTIFICATE
(CARGO LOADING INTO CONTAINER)

SHIPPER (E4004)	CANON FINETECH INDUSTRIES DEVELOPMENT CO., LTD.	
CONSIGNEE (E6184)	CANON U.S.A. INC. LOS ANGELES OFFICE (DIVERSION)	
VESSEL(VOYAGE NO.)	OOCL NINGBO	(V.1)
DATE OF SAILING	MARCH 26, 2006	
PORT OF SHIPMENT	YANTIAN	CHINA
PLACE OF DELIVERY	LOS ANGELES	U.S.A.

THIS IS TO CERTIFY THAT THE UNDERMENTIONED CARGO WAS STOWED IN THE CONTAINER(S)
IN OUR ATTENDANCE AND THE DOORS OF THE CONTAINER(S) WERE SEALED BY US.

1. PARTICULAR OF CARGO

CONTAINER NO.	P/O NO.	SEAL NO.	COMMODITY	NO.OF P'KGS	POSITION
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AS PER ATTACHED SHEET

TOTAL	120 PACKAGE(S) IN	2 CONTAINER(S)
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CONTAINER NO.	P/O NO.	SEAL NO.	CONTAINER TYPE
NYKU8214688	FAHLY73-01	CN4652980	40FTDRY
NYKU8223329	FAHLY73-02	CN4652979	40FTDRY

2. STOWAGE PROPER

EXHIBIT A

CANON

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-SHIPPER'S CERTIFICATE ATTACHED SHEET-

CONTAINER NO.	P/O NO.	SEAL NO.	COMMODITY	NO. OF P'KGS	POSITION
NYKU8214688	PAULV73-01	CN4652980	9563A001AA FINISHER-S1	60 PALLET(PAPER)	FRONT
NYKU8223329	PAULV73-02	CN4652979	9563A001AA FINISHER-S1	60 PALLET(PAPER)	FRONT

CANON

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